

JOHN KELLEY.

FEBRUARY 29, 1840.

Laid on the table.

Mr. RUSSELL, from the Committee of Claims, made the following

REPORT:

*The Committee of Claims, having considered the petition of John Kelley, referred to them by the House of Representatives, make the following report thereon :*

At the second session of the 24th Congress the petitioner presented his claim, and in the House of Representatives it was referred to the Committee of Claims; and, after a laborious and minute investigation, an unfavorable report was made thereon, a copy of which is hereto annexed and made a part of this report.

At the third session of the 25th Congress the petitioner again presented a memorial, exhibiting more in detail his claim for services and disbursements in pursuing and arresting Henry and Richard H. White, fugitives from justice, charged with having burnt the Treasury buildings, at the city of Washington, in the District of Columbia, in March, 1833. In this memorial he complains that his drafts upon private individuals, to raise money to enable him to pursue the fugitives, were not paid; in consequence of which, he has been subjected to trouble and expense. With a view to ascertain how far this complaint was well founded, the committee have examined the account made out by the claimant, settled and receipted by him at the Treasury Department; and, from that account, it appears that these drafts were charged by the claimant to the Government, and paid to him. These drafts, too, purport to embrace individual transactions, in which the responsibility of the drawer alone was involved; and though the proof of the disbursement of the money in the service of the Government was entirely defective, yet, from an abundant confidence reposed in the petitioner, it was allowed and paid to him.

The proof of petitioner's claim is substantially the same now, that it was when the report hereinbefore referred to was made; and after an examination of it, the committee are satisfied that the petitioner cannot justly complain of the want of liberality on the part of the Government in the adjustment of his demands; and, with these views, offer, for the consideration of the House, the following resolution:

*Resolved, That the prayer of the petitioner ought not to be granted.*

Blair & Rives, printers.

FEBRUARY 28, 1837.

*The Committee of Claims, to whom was referred the petition of John Kelley, report:*

That the claim is for personal services in apprehending the Whites, charged with having destroyed the Treasury Department, under directions from the Secretary of the Treasury. He speaks of his risks being great, and his services important; and he asks that an allowance of at least ten thousand dollars may be made to him.

The committee sent the papers to the Secretary of the Treasury for information.

His answer was accompanied by the copy of an account presented and settled at the Treasury; by which it appears that Mr. Kelley first engaged to pursue after the Whites in March, 1836.

He was employed from the 1st of March to the 21st of July, 1836, being the time he was absent from home, in the pursuit, the first time; being one hundred and forty-three days. He was also engaged thirteen days in November and October. He also charges, from the 24th of November, 1836, when he left home under the direction of F. S. Key, United States attorney at Washington, to the 13th of February, 1837, (before which he could not reach home,) eighty-one days.

This, from his account, appears to be all the time he was employed; and for his personal services he has been allowed, and paid, five dollars a day. In addition to this, he has been paid for all of his expenses, paid out for his own accommodation, or for those that accompanied him; and, also, for all money expended, in any way, about the business in which he was employed. His account was settled under the express sanction of the President, and amounted, in all, to four thousand two hundred and twenty-one dollars, which has been paid to him. Money was advanced to him from time to time, as the services were being performed, and the expenses were being incurred.

The committee have no doubt the petitioner was persevering and faithful in the discharge of his trust, and justice and public policy unite in awarding a liberal allowance; and it appears to the committee it has been made. Five dollars a day, with all expenses paid, is a sum sufficient to command the services of the most intelligent and faithful ministerial officer of the country, for the period Mr. Kelley was employed.

The committee submit the following resolution:

*Resolved*, That the petitioner is not entitled to relief.